

**ATTACHMENT B**  
**AFFIDAVIT OF BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND**  
**EXPLOSIVES**  
**TASK FORCE OFFICER DAVID E. SCHROEDER**

I, David E. Schroeder, Task Force Officer (TFO) of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), being first duly sworn, do hereby depose and state the following:

1. I am employed at the Greene County Sheriff's Office as a detective and currently am assigned as a Task Force Officer (TFO) with the ATF. I have been employed as a Deputy Sheriff since March 2010. I am currently assigned to the ATF and have been since 2018. I am authorized to investigate violations of laws of the United States under Title 18, and I am a law enforcement officer with the State of Missouri (Greene County). I have participated in a wide variety of criminal investigations, to include domestic assaults, assaults, homicides, weapons violations, robberies, drug and gang crimes, crimes against children, and other violent and non-violent crimes. Additionally, I have participated in the preparation and/or execution of many searches and arrests.

2. This affidavit is in support of a criminal complaint charging Timothy Johnell SMITH with felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1).

3. The information in this Affidavit is information known to me as a result of my participation in this investigation or is information that has been communicated to me by other law enforcement investigators or witnesses, involved in this investigation. The dates and times in this affidavit are approximate. Because the purpose of this affidavit is to set forth only those facts necessary to establish probable cause for this criminal complaint, I have not described all the relevant facts and circumstances of which I am aware.

### **STATUTORY AUTHORITY**

4. 18 U.S.C. § 922(g)(1) prohibits any person who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

### **PROBABLE CAUSE**

5. On Monday, January 1, 2024, Greene County Sheriff's Office (GCSO) deputies responded to a call for service for a check person for possible underage drinking at 5484 West Sunshine, Springfield, Greene County, Missouri 65807, also within the Western District of Missouri. The location is an event center known as "The Barnhouse," where a private party was taking place. Deputies were arriving on scene when another call was dispatched for shots fired at the same location. Call comments indicated there were multiple gunshot victims on scene. In total, four victims had gunshot wounds, and two were transported to local hospitals. There was a large amount of people on scene, and eventually, it was secured for deputies to start the investigation.

6. Greene County, Missouri, Sheriff's Office (GCSO) Detective D. Adams interviewed Timothy Johnell SMITH who stated he and his wife, Andrea Smith, were hired to work private security during the event. He stated his wife brought an AR-15 style rifle to the venue to aid in their security duties. He described the rifle as black, with a sixteen (16) inch barrel, with no sights. After their arrival at the venue, Andrea gave the firearm to an employee at the venue who was supposed to put the firearm behind the bar. He consented to a search of his vehicle, a white GMC Yukon Denali. Detectives located an empty black rifle case. SMITH was released from the scene pending further investigation.

7. GCSO Detective G. Tiller interviewed a witness, identified as C.T. C.T. indicated that he was working at the event during the incident. He arrived at the location sometime after 0100 hours. Sometime after he arrived, he observed a large group of both men and women fighting. He tried to break that fight up but was assaulted in the process. During the fight, he heard gunshots and then ran away.

8. Witness R.T. was also present when the shooting took place. He observed a fight involving several people. He was trying to remove one of his associates from the altercation when a black male he described as the "security guard" told them all to leave. No one complied to the security guard's orders, and the security guard then walked away from the altercation. The security guard returned to the altercation armed with an AR-style rifle. The security guard then fired one round into the ceiling. After that, R.T. heard approximately four to five additional shots. R.T. reported that he had seen the security guard in possession of the AR rifle and two handguns when the first shot was fired.

9. R.T. described the security guard as a black male, approximately 5'10", weighing approximately 200 to 220 pounds, with short black or balding hair, and a mustache or five o'clock shadow. According to R.T., the security guard was wearing a green hat and black jacket, but had taken the black jacket off after the shooting. SMITH's description was very similar to what was described by R.T., and GCSO Deputy J. Beadles recalled seeing SMITH wearing a green hat while at the incident.

10. A Bear Creek Arsenal, model BCA15, multical (chambered in .223 wylde), rifle bearing serial number 71041, with a black sling, was located near a storage area on the upper level of the venue. There were no sights on the rifle. The recovered rifle matched the description of the firearm that SMITH provided to Detective Adams during his initial interview.



11. On January 1, 2024, Detective Tiller interviewed SMITH, after reading SMITH his *Miranda* rights. During the interview, SMITH admitted to carrying the AR rifle with the strap during the party for “intimidation,” in an attempt to prevent an incident from occurring. He stated during a fight in the venue, a black male confronted Andrea who was holding her pistol at a low ready position near her chest. SMITH was able to convince that person to leave the party and shortly after the male left, he heard a shot and saw that an individual, identified as M.B., had been shot. SMITH went to the aid of M.B. when he observed a light-skinned black male, wearing brown pants and a white shirt, in a seated or squatted position near a door. He saw the unknown male point a brown or green handgun into the venue toward Andrea and M.B. He was concerned for his wife and admitted to firing three to four shots from the rifle into the ceiling of the venue. He stated he never pointed the firearm at anyone and was not trying to hit anyone when he fired the shots.

12. SMITH stated to Detective Tiller he was not originally honest about what had occurred because he knew he was prohibited from possessing a firearm and he did not want to get in trouble (due to him being a felon).

13. This affiant reviewed SMITH’s criminal history record, which matched SMITH’s name, date of birth, social security number, and FBI number. According to SMITH’s criminal history record, on or about September 22, 2006, SMITH was convicted of the felony of Burglary-2<sup>nd</sup> Degree-Dwelling in the Ramsey County, Minnesota, District Court, in Case No. 62-K8-06-001748. On or about May 1, 2008, SMITH was convicted of the felony of receiving stolen property in the Ramsey County, Minnesota, District Court, in Case No. 62-KX-07-003625. On or about March 31, 2011, SMITH was convicted of the felony of Theft-Take/Drive Motor Vehicle-No Owner Consent in the Washington County, Minnesota, District Court, in Case No. 82-CR-10-1414. SMITH has misdemeanor convictions for Domestic Abuse No Contact Order – Violating

No Contact Order, DWI – Operating a Motor Vehicle Under the Influence of Alcohol, Disorderly Conduct, and Giving a Peace Officer False Name and DOB of Another.

14. On January 2, 2024, this affiant examined the Bear Creek Arsenal, model BCA15, multical (chambered in .223 wylde), rifle, bearing serial number 71041, and determined the rifle is a firearm by definition of the Gun Control Act.

15. On January 3, 2023, this affiant provided ATF Special Agent (SA) and firearms interstate nexus expert Brian Fox with the information of the previously described firearm. SA Fox determined the firearm had to travel or effect interstate commerce to arrive in the State of Missouri.

16. Based on the above facts, this affiant believes there is probable cause in support of a criminal complaint against Timothy J. SMITH., for violation of 18 U.S.C. § 922(g)(1), that is, felon in possession of a firearm.

I swear/affirm that the above information is true and correct to the best of my knowledge and belief.



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DAVID E. SCHROEDER.  
Task Force Officer  
Bureau of Alcohol, Tobacco, Firearms and Explosives

Subscribed and sworn to before me via telephone on the 3rd day of January, 2024.



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HONORABLE WILLIE J. LEPPS, JR.  
Chief United States Magistrate Judge  
Western District of Missouri